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General and complete disarmament: the illicit trade in small arms and light weapons in all its aspects

Letter dated 14 July 2011 from the Permanent Representative of New Zealand to the United Nations addressed to the Secretary-General

I write to you with regard to the open-ended meeting of governmental experts on the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which I had the honour of chairing in New York from 9 to 13 May 2011.

During the course of this meeting, I sought to summarize key points arising from discussions under each main theme, which I have compiled in the attached document (see annex). While formally tabled at the meeting and referenced in the meeting report, this summary was prepared under my own responsibility and reflects my interpretation of the main points under discussion. It does not seek to provide a full record of discussions, nor should it be seen as reflecting the consensus view of States.

Since the meeting, a number of participants have asked that the summary be made more widely available to assist States in their efforts to effectively implement the Programme of Action. I therefore request that the present letter and its annex be issued as a document of the General Assembly.

(*Signed*) Jim **McLay**
Permanent Representative

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Annex

Summary by the Chair of discussions at the open-ended meeting of governmental experts on the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, 9 to 13 May 2011, New York

The present summary outlines core elements that were discussed during the open-ended meeting of governmental experts on the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 9 to 13 May 2011. The summary was prepared by the Chair under his own responsibility and reflects his interpretation of the main points under discussion. It does not represent a full record of all issues discussed during the week, nor should it be seen as reflecting the consensus view of States on any specific points covered in it.

I. Introduction

Under the Programme of Action on Small Arms, Member States meet every two years for a biennial meeting of States or a review conference. In 2009, States decided to convene, additionally, an open-ended meeting of governmental experts to address key implementation challenges and opportunities in the United Nations small arms process. On the basis of extensive and broad-based consultation, marking, record-keeping and cooperation in tracing were identified as the core themes for the meeting, together with the cross-cutting themes of national frameworks, regional cooperation, and international assistance and capacity-building.

The International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (International Tracing Instrument), adopted by the General Assembly in 2005, was developed on the basis of the 2001 Programme of Action. The Instrument is discussed within the framework of the Programme of Action meetings and applies to all Member States.

The International Tracing Instrument is a central tool for assisting States in combating and preventing the illicit proliferation of small arms and light weapons in an effective and concrete manner. Tracing illicit weapons allows States to monitor and disrupt trafficking routes and to identify points of diversion. The Instrument sets out comprehensive and detailed international standards to guide States in their implementation of the three main pillars of marking, record-keeping and cooperation in tracing. The three pillars are highly interdependent: successful tracing depends on adequate marking, record-keeping and international cooperation. Moreover, in accordance with the Instrument, weapons can be traced in all forms of crime and conflict situations.

The Instrument builds on the 2001 Programme of Action and the legally binding 2001 Protocol against the Illicit Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, to which not all Member States are parties.

The Firearms Protocol outlines a number of requirements and measures regarding the marking, record-keeping and tracing of firearms from a law enforcement perspective. In the preamble of the International Tracing Instrument States recognized the complementary nature of these two instruments.

The Instrument encourages cooperation, assistance and capacity-building at the international, regional and bilateral levels to support effective implementation. The Programme of Action further emphasizes regional cooperation for tracing purposes, including the strengthening of information exchange mechanisms.

II. Marking

The Chair began discussions under the theme of marking by recalling key international requirements in this area on the basis of the discussion papers. The Instrument prescribes the content of small arm/light weapon markings at the time of manufacture, specifying that they must be unique and allow all States to readily identify the country of manufacture (para. 8 (a)). Commitments under the Instrument relating to post-manufacture marking include the marking of Government armed and security force stockpiles (para. 8 (d)) and the marking of all illicit small arms and light weapons found on national territory (para. 9). The Instrument also emphasizes the importance of import marking, noting that it is a requirement for States parties to the Firearms Protocol (International Tracing Instrument, para. 8(b), Firearms Protocol, art. 8(1)(b)). While the Instrument indicates that the choice of marking methods (stamping, engraving, etc.) is a national prerogative, it prescribes the physical characteristics of weapons markings (para. 7), as well as their placement (para. 10). Complementing these provisions, both the Programme of Action and the Firearms Protocol include measures to prevent the possession of, and trade in, unmarked or inadequately marked small arms and light weapons (Programme of Action, sect. II, para. 8; Firearms Protocol, art. 5).

An expert presentation exploring aspects of this theme was then provided by Murray Smith of the Royal Canadian Mounted Police. This was followed by a national case study presented by the representative of Brazil.

During their subsequent discussion on the topic of marking, participants identified key challenges and opportunities for implementation; exchanged views and shared relevant national experiences; and considered practical solutions to overcome common problems.

Participants shared information on their national marking practices, including on the contents and methods of marking. They discussed marking at the time of manufacture as well as post-manufacture marking, including the marking of Government armed and security force stocks, the marking of weapons found on national territory and marking at the time of import.

Several participants noted that new developments and trends in the manufacture and design of weapons posed additional challenges for marking. These included:

- Development of weapons families with similar design features and consequently an increased risk of misidentification

- The trend towards modularity in weapons design, namely the routine changing of major components.

Moreover, some participants emphasized the specific challenges posed by polymer frame weapons, in particular the practical problems inherent in ensuring a durable mark on these weapons, at both the time of manufacture and of import.

One participant suggested the establishment of a technical committee, composed of industry and government representatives, to consider new developments of this kind and articulate possible approaches to addressing them.

Several participants highlighted the key role that import marking can play in facilitating tracing. It was also acknowledged that import marking posed particular challenges in balancing the need for weapons traceability, for which durable marking was essential, with considerations regarding the safety and physical integrity of the weapon.

Other challenges highlighted by participants included:

- Falsification, alteration or erasure of serial numbers and other markings
- Trade in illicit parts (namely, reconstituting an unmarked weapon from such parts)
- The need to make provision in national control frameworks for the temporary lawful export (and re-import) of weapons in accordance with the Instrument (for example, for hunting overseas)
- Incorporation of craft production into national regulatory systems
- Lack of equipment, expertise and other capacity shortfalls related to marking.

Some participants noted with concern the low number of countries reporting on their implementation of the Instrument and encouraged the inclusion of more technical detail in national reporting.

Many participants underlined the importance of marking for effective tracing cooperation and acknowledged that a lack of resources was preventing full implementation of the provisions of the Instrument on marking. A number of specific assistance and capacity-building needs were identified, including:

- Training, including the continuous training of law enforcement personnel in weapons identification
- Acquisition of necessary equipment, including marking machines
- Strengthening of existing legislation and the adoption of new legislation
- Transfer of relevant technology, including for purposes of rendering marking more resistant to efforts at falsification and sanitization.

In addition to the discussion on key challenges to implementation, participants considered a range of solutions and articulated concrete proposals to overcome such challenges. In relation to import marking, some participants suggested that weapon manufacturers be required to put import marks on weapons prior to their transfer. Several participants also highlighted the potential of new technologies such as laser engraving for import marking and electronic databases and digital photography for weapons identification. Some participants also noted that covert markings, applied

in addition to regular markings on the weapon's surface, could be a useful tool for enhancing weapon traceability and for countering attempts to falsify or sanitize markings.

Many participants highlighted the importance of enacting adequate legislation on marking, including the need for appropriate penalties and evidentiary rules (for example, shifting the burden of proof for the possession of firearms with sanitized markings). Some participants described efforts being undertaken to develop new methods for the recovery of sanitized markings.

Some participants shared their experience in raising awareness among craft producers of applicable national laws and penalties and in training craft producers in marking the weapons they manufactured. Some participants also noted practical differences regarding the marking of small arms versus the marking of light weapons.

Some participants stated that difficulties associated with the marking of polymer frame weapons were less relevant for tracing in conflict zones where the use of such weapons was limited.

Throughout the discussions, participants outlined a range of positive experiences in tackling marking capacity shortfalls, including enhanced information-sharing, better coordination of assistance and the pooling of resources at the international, regional and subregional levels, as well as strengthened partnerships with donor Governments, United Nations agencies and other international and regional organizations.

III. Record-keeping

The Chair began discussions under the theme of record-keeping by recalling key international requirements in this area on the basis of the discussion papers. The record-keeping provisions of the Instrument are framed in broad terms, specifying in particular that the choice of methods for record-keeping is a national prerogative. The objectives are clear, however: the establishment and maintenance of accurate and comprehensive records necessary for tracing (para. 11). More specifically, Member States have undertaken, to the extent possible, to keep records pertaining to small arms and light weapons indefinitely. In any case, they have agreed to maintain manufacturing records for at least 30 years and all other records, including records of import and export, for at least 20 years. The Instrument thus extends the Firearms Protocol's 10-year minimum for the maintenance of firearm records, although the latter, in contrast to the International Tracing Instrument, encourages States to also keep records of firearm parts, components and ammunition (art. 7).

An expert presentation exploring aspects of this theme was provided by Gary Fleetwood of the Australian Crime Commission. This was followed by a national case study presented by the representative of Kenya.

In their subsequent discussions on the topic of record-keeping, participants identified key challenges and opportunities for implementation; exchanged views and shared relevant national experiences; and considered practical solutions to overcome common problems.

Participants recognized that national record-keeping practices varied widely. It was noted that this was party a reflection of different constitutional structures, with record-keeping systems in federal States tending to be multi-tiered and complex.

Despite this, participants generally emphasized that national record-keeping systems shared many common features, in particular the core objective of timely and reliable tracing. In this regard, many participants noted that insufficient and/or inaccurate record-keeping was a key reason for tracing failures. A second objective mentioned by many participants was the use of records in the prosecution of weapons-related offences.

Several prerequisites for successful record-keeping were identified by participants. These included:

- Establishing adequate legislative frameworks, including the requirement that all relevant actors keep records
- Reliable weapons marking to ensure a unique record
- Effective enforcement, including sanctions for non-compliance
- Maintenance of records for a sufficient length of time
- Close cooperation with the private sector, including provisions for the handover of weapons records to Governments by companies that go out of business.

The discussions reflected diverse national practices regarding the length of time that weapons records were required to be kept. Some participants indicated that record-keeping systems in their countries provided for shorter periods than those stipulated in the Instrument. Others underlined that they either met or exceeded the Instrument's minimum standards of 30 years for manufacturing records and 20 years for all other records. Several participants reported that records were kept indefinitely, noting the reduced costs involved owing to electronic data storage. These participants emphasized the important long-term benefits for effective tracing arising from the indefinite retention of records.

Participants also considered whether records should be deleted following the destruction of a weapon. Some participants suggested that such practices could potentially increase the risk of illicit diversion of weapons and make tracing harder. Other participants regarded the retention of such records unnecessary where weapons were effectively destroyed.

Participants also outlined measures undertaken to tackle key implementation challenges. Some participants indicated that their Governments were currently in the process of developing centralized firearm registers. Many others outlined efforts they had undertaken to convert their paper records into electronic form. Some noted particular challenges in this area, including a lack of qualified personnel. software limitations and the need for strong project control during the transition process.

Several participants also emphasized the importance of qualified — and sufficiently numerous — personnel for the successful and accurate maintenance of weapons registers, both in manual and electronic format. Some also stressed that the targeted and ongoing training of relevant officials was a key element in ensuring the accuracy of data, and consequently in facilitating effective weapons identification

and tracing. Participants identified several other challenges related to effective and accurate record-keeping, including:

- Ensuring uniformity and data linkages across multiple registers in a country
- Integration of record-keeping systems that are operated separately by law enforcement and military institutions
- Ensuring the accurate identification of weapons and their markings, as well as the accurate entry of this information into registries, to facilitate successful tracing
- Safeguarding against unauthorized access to record-keeping systems, as well as unauthorized use by those who have access
- Recording of weapons in conjunction with their collection and destruction in post-conflict settings, and in other contexts where States seek to increase their control over the circulation of small arms.

Some participants outlined specific cost-effective measures that could be taken to strengthen the effective and accurate functioning of national record-keeping systems. These included practical measures related to the establishment and maintenance of electronic record-keeping systems, such as defining minimum content for the creation of an electronic record, the inclusion of computer surveillance measures to search the system for incompatible data, and regular spot checks of records to ensure the accuracy and consistency of the data stored.

Many participants underscored the need for financial, material and technical assistance to support their record-keeping activities. Several participants made specific requests for technical assistance to help their national authorities to manage the conversion of paper records into electronic form. In this regard, several participants emphasized the importance of adequate training of personnel and the provision of technical equipment. Some participants highlighted the need to build capacity in ensuring effective record-keeping in post-conflict situations as part of broader weapons collection programmes. Several participants stressed that the understaffing of firearm registries — and under-resourcing of firearms registries more broadly — was another problem warranting priority attention.

IV. Cooperation in tracing

The Chair began discussions under the theme of cooperation in tracing by recalling key international requirements in this area on the basis of the discussion papers. Building upon both the Programme of Action and the Firearms Protocol, the Instrument establishes a relatively detailed set of rules governing the issuance of and response to a tracing request. The Instrument underlines the need for sufficient information in any tracing request, including markings, type and calibre, as well as the intended use of the information being sought (para. 17). States receiving a tracing request are to acknowledge receipt within a reasonable time (para. 19). They also undertake to provide all available information sought by the requesting State relevant for the purpose of tracing (para. 20). Any delay or restriction in the content of their response, or refusal to respond, must fall within the scope of the exceptions set out in paragraph 22 and be explained (para. 23). As with record-keeping, the choice of tracing system is a national prerogative, yet the Instrument commits States

to ensuring they are capable of undertaking traces and responding to tracing requests in accordance with its requirements (para. 14).

Expert presentations exploring aspects of this theme were then provided by Tracy Hite of the International Criminal Police Organization (INTERPOL) and by Simonetta Grassi of the United Nations Office on Drugs and Crime (UNODC).

In their subsequent discussions on the topic of cooperation in tracing, participants identified key challenges and opportunities for implementation; exchanged views and shared relevant national experiences; and considered practical solutions to overcome common problems.

Participants discussed how tracing cooperation was working in practice, specifically within the framework of the Instrument. They shared a range of national experiences, with many emphasizing that weapons tracing was a key investigative tool and some illustrating its application to both crime and conflict settings.

Several participants recalled that tracing did not stand alone, but was in fact part of a broader set of tools that included such things as ballistics information systems. Many participants underlined the value of tracing in detecting and potentially disrupting illicit arms flows — and in prosecuting those involved in such activities. A number of participants asserted that the potential of weapons tracing was currently underutilized and that there was a tendency to neglect the prosecution of firearms-related offences in favour of other offences that were easier to prosecute. Yet many participants stressed that, with the increased globalization of criminal activity, including firearms trafficking, the importance of effective weapons tracing was greater than ever before.

While the meeting discussions focused on the use of weapons tracing for law enforcement purposes, some participants indicated that their national authorities were also responding to tracing requests from experts panels reporting to United Nations sanctions committees within the framework of Security Council efforts to maintain international peace and security.

Participants shared a wide range of experiences in tracing. Some participants reported high success rates in their tracing operations, especially for weapons produced in recent decades following the introduction in many countries of systematic weapons marking and record-keeping. Others reported that some trace requests they issued had received no response at all.

Several participants highlighted the role of INTERPOL's information infrastructure, especially the National Central Bureau system, and also noted the value of bilateral and regional frameworks for tracing cooperation.

A number of participants noted that tracing failures were mainly the result of two key factors: insufficient identifying information and the inaccurate identification of weapons, including weapons markings. Many participants underlined the importance of sufficient information in trace requests, including minimum weapons-related information and additional information regarding the relevant case. Some participants reported that the loss of records was hampering effective tracing in certain cases.

Several participants indicated that cooperation with manufacturers was good overall and underlined the critical importance of industry-Government partnerships

for effective tracing and in addressing new technical and policy challenges as they emerged.

Other challenges identified included:

- Legal and bureaucratic impediments to the timely provision of data, including in countries where record-keeping was multi-tiered
- Enabling direct lines of communication among relevant officials in different countries
- Conflicts between confidentiality requirements governing the release of tracing information and rules providing for its disclosure in the context of judicial proceedings in the country of receipt
- Delays in the processing of tracing requests, with the risk that suspects would be released for lack of evidence before the completion of such traces
- Difficulties of tracing weapons that had crossed several borders
- The long lifespan and complex chain of ownership of many small arms and light weapons
- Licensed production, which in some cases resulted in the misidentification of the manufacturer and/or country of manufacture.

Alongside these challenges, some participants highlighted measures that could enhance weapons tracing and its effective use in a range of contexts. These included:

- Emerging use of digital photography as a means of improving weapons identification
- Use of proof marks to overcome a lack of information on the country of origin
- Use of laboratory techniques to recover partly obliterated markings
- Use of trace results, including information generated on crime location and perpetrators, to develop targeted law enforcement interventions
- Use of weapons tracing to indicate the likely involvement of weapons traffickers in particular crimes
- Use of trace results to assess the effectiveness of national import controls
- Making information on traced small arms available to appropriate agencies at the national, regional and international levels in order to help prevent diversion.

Many participants highlighted the need to build capacity for effective tracing. They underlined the importance of adequate institutional capacity for tracing and stressed the need for sufficient human, material and financial resources, including the training of relevant personnel for improved weapons identification.

V. National frameworks

The Chair began discussions under the theme of national frameworks by recalling key international requirements in this area on the basis of the discussion

papers. States have recognized that the primary responsibility for solving the problems associated with the illicit trade in small arms and light weapons in all its aspects falls on all States (Programme of Action, sect. III, para. 1). Under the Instrument, Member States have undertaken to put in place, where they do not exist, the laws, regulations and administrative procedures needed to ensure the effective implementation of the Instrument (para. 24). Associated commitments include the designation of one or more national points of contact for purposes of tracing and broader aspects of the implementation of the Instrument, including the exchange of information on national implementation (para. 25).

Expert presentations exploring aspects of this theme were then provided by Simonetta Grassi of UNODC, drawing on experiences and activities in assisting States to implement the Firearms Protocol, and by Guy Lamb of the Institute for Security Studies.

In their subsequent discussions on the topic of national frameworks, participants identified key challenges and opportunities for implementation; exchanged views; shared relevant national experiences; and considered practical solutions to overcome common problems.

Participants shared information and experiences on their respective national legislation and institutional structures as they related to the implementation of the Instrument.

Some participants raised general points, including the importance of national inventories of implementation gaps and needs, and the value-added of linking national frameworks for marking, record-keeping and tracing with national programming in related areas, such as national development. Several participants outlined the plans of their Governments to develop or enact new legislation or to amend and strengthen existing legislation.

Some participants noted that tracing in States emerging from armed conflict often differed from that in States where it was primarily used for law enforcement purposes, although the discussions also revealed points of convergence.

Several participants emphasized the need to fully implement existing laws and underscored the importance of their effective enforcement. Regarding enforcement, a number of participants again stressed that there was considerable value in prosecuting firearms-related offences in conjunction with associated offences where the opportunity arose.

Many participants noted the importance of the "whole of government" approaches in enhancing national coordination, and shared their experiences with utilizing specific mechanisms and policy instruments to structure participation and coherent action across government.

Among the mechanisms employed for enhanced coordination, some participants specifically mentioned national firearms (or small arms) commissions, national firearms platforms and national management committees. Several participants emphasized the need for broad participation in such institutions so as to bring together all government agencies involved in the implementation of the Instrument and the Programme of Action, as well as industry and other representatives from civil society.

Many participants cited national action plans as a key policy instrument for supporting marking, record-keeping and tracing work.

A number of participants highlighted the utility of these mechanisms and policy instruments across a range of areas, in particular for purposes of:

- Developing and fine-tuning national small arms policy
- Reviewing national implementation of existing legislation and procedures
- Sharing information and coordinating policy across all of government
- Identifying needs and gaps in the implementation of the Instrument and the Programme of Action.

Participants discussed how national frameworks for weapons marking, record-keeping and tracing were linked to bilateral, regional and international frameworks. In that regard, many participants highlighted the key role of national points of contact and national reporting in facilitating full implementation.

Several participants emphasized the need for a national point of contact that was police-based and dedicated to tracing. These participants explained that they considered police channels to be better placed to protect confidential information in the context of tracing cooperation. Some participants noted that their national authorities had appointed an additional point of contact for the exchange of general information relating to the implementation of the Instrument, including assistance needs. Others referred to a single point of contact in their interventions, not necessarily police-based.

Challenges mentioned by a number of participants in this area included:

- Ensuring that point of contact information was effectively communicated to all Member States, in particular through the Programme of Action-Institute for Security Studies website
- Securing agreement among different governmental agencies on a single point of contact for tracing.

Further, several participants expressed concern about the low levels of national reporting on the implementation of the Instrument to date, including the resulting shortfall in information exchange. Those participants noted that the reporting burden for the Instrument — and increasingly for the Programme of Action — was in their view alleviated somewhat by the use of a biennial reporting schedule.

As in other thematic areas, many of the participants who took the floor underlined the crucial importance of international assistance and capacity-building to the implementation, consolidation and strengthening of national frameworks for marking, record-keeping and tracing.

Specific capacity-building needs highlighted by participants included:

- Review and development of legislation
- Sharing of technical expertise
- Provision of equipment.

Some participants also emphasized the need for donor coordination in ensuring coherent national action across the areas of marking, record-keeping and tracing.

Other participants mentioned challenges related to maintaining the necessary level of expertise among relevant personnel and language barriers in accessing relevant technology. Many participants underscored that they regarded bilateral, regional and international frameworks as indispensable complements to national efforts.

VI. Regional cooperation

The Chair began discussions under the theme of regional cooperation by recalling key international standards and requirements in this area on the basis of the discussion papers. The Instrument encourages cooperation at the regional level to support its effective implementation (para. 26). The Programme of Action similarly emphasizes regional cooperation for tracing purposes, including the strengthening of information exchange mechanisms (sect. III, para. 1).

A regional case study exploring aspects of this theme was then provided by the Regional Centre on Small Arms (for the Great Lakes Region and Horn of Africa).

In their subsequent discussions on the topic of regional cooperation, participants identified key challenges and opportunities for implementation; exchanged views and shared relevant experiences; and considered practical solutions to overcome common problems.

Many of the participants that spoke on this issue underlined the ongoing value of regional cooperation to the implementation of the Instrument and the Programme of Action. Several participants noted the substantial progress that had been made in strengthening such cooperation and stressed its continuing importance for supporting implementation efforts.

Participants discussed numerous ways in which regional organizations were assisting States on various aspects of the implementation of the Instrument and the Programme of Action, including:

- Coordinating national action at the regional and subregional levels
- Developing model legislation, regional implementation standards and best practice guidelines
- Organizing regional meetings and seminars
- Assisting States in the assessment of their needs
- Building institutional capacity
- Conducting training and other capacity-building activities
- Strengthening cooperation among regional and subregional organizations and United Nations agencies.

Some participants emphasized that for maximum effectiveness, regional organizations needed to be in regular contact with their member States. Other principles highlighted for effective regional cooperation included continuity, complementarity and cost-effectiveness. With regard to the latter, some participants underlined the need to make the most of limited resources and to focus on initiatives that would have the broadest possible impact.

In relating the details of their work, some regional organizations reported on a variety of measures, extending beyond weapons marking, record-keeping and tracing, that were designed to tackle a broader range of small arms issues.

Several participants cited the provision of marking machines through regional organizations, such as the Regional Centre on Small Arms and the Organization of American States (OAS), as an example of regional cooperation worthy of emulation.

Many participants also offered examples of interaction among regional and subregional organizations, indicating that this was facilitating the exchange of experience among experts and enhancing knowledge acquisition. Some participants also noted that regional meeting and workshops were building and strengthening relationships between regional and subregional organizations.

On the other hand, some participants suggested there was a risk of regional and subregional organizations becoming too large and losing their proximity to member States, thereby losing some measure of their effectiveness. Some participants noted that the extent of regional cooperation varied according to different regional and subregional contexts. These participants suggested that bilateral and trilateral relationships could present useful alternatives in areas where regional cooperation was more limited.

Several other challenges at the regional level were mentioned by participants. These included:

- Lack of harmonization of national legislation in certain regions
- Lack of legal regulation in certain issue areas, for example marking
- Logistical and transportation shortfalls (precluding, for example, the transportation of marking machines to where they were needed)
- Lack of donor attention to certain regions
- Duplication of efforts among organizations in a single region
- Limited awareness of small arms issues and a reluctance on the part of some communities to engage on those issues.

Most participants stressed the need for international assistance, including technical and financial assistance. Some pointed to the need for transparency and coordination in the provision of assistance so as to avoid overlap and duplication.

Several elements were identified by participants as particularly important for strengthening regional cooperation, including:

- Support for the development of national action plans and associated national legislation
- Enhanced exchange of information and lessons learned
- Establishing and strengthening links among regional organizations
- Building strong partnerships with civil society and research institutions
- Safety nets for regions lacking effective cooperation mechanisms.

VII. International assistance and capacity-building

The Chair began discussions under the theme of international assistance and capacity-building by recalling key international norms and principles in this area on the basis of the discussion papers. The Instrument underlines the importance of international assistance and capacity-building for its effective implementation (paras. 27 to 29). States are encouraged to provide technical, financial and other assistance in building national capacity for marking, record-keeping and tracing, and to examine — and facilitate the transfer of — technologies for the improved tracing and detection of illicit small arms and light weapons (paras. 27 and 28). Cooperation with the United Nations (on information exchange) and INTERPOL (on operational aspects) is also emphasized (paras. 30 to 35).

An expert presentation exploring aspects of this theme was provided by Daniel Prins of the Office for Disarmament Affairs of the Secretariat.

In their subsequent discussions on the topic of international assistance and capacity-building, participants identified key challenges and opportunities for implementation; exchanged views and shared relevant experiences; and considered practical solutions to overcome common problems.

Many of the participants who spoke on this issue underlined the pivotal role that international assistance and capacity-building played in the implementation of the Instrument and the Programme of Action. Several participants noted that assistance and capacity-building were cross-cutting issues throughout the Instrument and the Programme of Action. Others noted the voluntary nature of such assistance.

Many participants stressed the need for enhanced international assistance and capacity-building, including technical and financial assistance. Several participants presented specific requests relating to marking, record-keeping and tracing. Some pointed to the need for transparency and coordination in the provision of assistance, so as to avoid overlap and duplication, and to the importance of having assistance coordinated across the government as a whole.

Representatives of States and of regional and international organizations shared numerous examples of the types of assistance they had received and provided. These included:

- Technical assistance
- Financial assistance
- Provision of equipment, including marking machines and record-keeping software
- Technology transfer
- Training, including on data entry and the use of marking machines
- Institutional capacity-building
- Development and provision of tools to implement the Instrument and the Programme of Action, including model legislation, guidelines and standards
- Establishment of mechanisms to help match needs and resources, such as the Group of Interested States and the web-based Programme of Action-Institute for Security Studies

- Information exchange
- Small arms research, seminars and workshops.

The examples provided by participants reflected the fact that international assistance and capacity-building took place at the bilateral, regional and international levels. It was also noted that assistance efforts could help to build the capacity of both recipient and donor States, as it could enhance inter-agency cooperation and raise awareness among relevant agencies in donor States.

Some participants noted the important role of South-South cooperation as a complement to North-South cooperation. Some participants also noted the role of aid agencies in the provision of relevant assistance, and stressed the importance of engaging them in the small arms process.

Several participants expressed concerns regarding the imposition of conditions on assistance provided, and stressed that donor States should take an equitable approach and remain open to providing assistance to all States requiring it.

On the other hand, some participants stressed that a certain level of responsibility also rested on recipient States, noting that national ownership was critical for the success and effectiveness of assistance. Some participants suggested that, in addition to self-identifying their assistance needs, recipient States also had a responsibility to draw on available national resources, including human resources, to support small arms programmes and projects, and noted the critical importance of maintaining political support for implementation in the recipient country.

Several participants acknowledged that there was no "one size fits all" approach when it came to the provision of assistance, and that some flexibility was required to adapt to the different needs and contexts of recipient States.

Many participants emphasized the need to take a holistic approach to capacity-building to ensure its long-term effectiveness through the provision of ongoing support. Examples of such ongoing support included: training in the proper maintenance and use of marking equipment; the provision of associated equipment, such as computers or record-keeping software, along with related training; and logistical support.

Other principles highlighted as important during the discussions included the coordination, harmonization and effectiveness of international assistance and capacity-building.

Some participants noted the importance of having a United Nations trust fund to provide dedicated support in responding to requests from States for assistance with implementation of the Instrument and the Programme of Action. The Office for Disarmament Affairs does have such a trust fund in place.

Several additional challenges were mentioned by participants. These included:

- Matching needs and resources
- Ensuring harmonized and coordinated approaches to assistance
- Ensuring the sustainability of knowledge and technology transfer
- Building capacity to enable self-identification of assistance needs.